

Office of Personnel Management

§315.710

(c) *Acquisition of competitive status.* A person converted under paragraph (a) of this section acquires a competitive status automatically on completion of probation.

[44 FR 44813, July 31, 1979. Redesignated at 44 FR 63080, Nov. 2, 1979; 66 FR 66710, Dec. 27, 2001]

§315.708 Conversion based on service as a Fellow or Senior Fellow in the Presidential Management Fellows Program.

(a) *Agency authority.* (1) An agency, not excepted from the competitive service, must appoint a Fellow or Senior Fellow to a full-time, permanent position in the competitive service without further competition when the Fellow or Senior Fellow:

(i) Has satisfactorily completed the Program as outlined in part 362 of this chapter; and

(ii) Meets the citizenship requirement set forth in part 338 of this chapter.

(2) A Fellow or Senior Fellow who was initially appointed to a permanent position in an agency excepted from the competitive service upon completion of the Program may be appointed subsequently to a full-time permanent position in the competitive service without further competition subject to paragraph (a)(1)(ii) of this section.

(b) *Tenure upon conversion.* (1) Except as provided in paragraph (b)(2) of this section, a Fellow or Senior Fellow appointed under paragraph (a) of this section becomes a career-conditional employee.

(2) A Fellow or Senior Fellow appointed under paragraph (a) of this section becomes a career employee when he/she has completed the service requirement for career tenure or is excepted from it under §315.201(c).

(c) *Acquisition of Competitive Status.* A Fellow or Senior Fellow appointed to a full-time, permanent position in the competitive service under this section does not serve a probationary period and acquires competitive status immediately upon appointment.

[70 FR 28779, May 19, 2005]

§315.709 Employees who are mentally retarded, severely physically handicapped, or have psychiatric disabilities serving under Schedule A appointments.

(a) *Coverage.* Employees appointed under §§213.3102(t), (u), and (gg) of this chapter may have their appointments converted to career or career-conditional appointments when they:

(1) Complete 2 or more years of satisfactory service, without a break of more than 30 days, under nontemporary Schedule A appointments.

(2) Are recommended for conversion by their supervisors;

(3) Meet all requirements and conditions governing career and career-conditional appointment except those requirements concerning competitive selection from a register and medical qualifications; and

(4) Are converted without a break in service of one workday.

(b) *Tenure on conversion.* An employee converted under paragraph (a) of this section becomes:

(1) A career-conditional employee, except as provided in paragraph (b)(2) of this section;

(2) A career employee if he or she has completed 3 years of substantially continuous service in nontemporary appointments under §§213.3102(t), (u), or (gg) of this chapter, or has otherwise completed the service requirement for career tenure, or is excepted from it by §315.201(c).

(c) *Acquisition of competitive status.* A person whose employment is converted to career or career-conditional employment under this section acquires a competitive status automatically on conversion.

[44 FR 66574, Nov. 20, 1979; 44 FR 72569, Dec. 14, 1979, as amended at 65 FR 41868, July 7, 2000]

§315.710 Professional and administrative career employees serving under Schedule B appointments.

(a) *Coverage.* This section covers employees serving in occupations that were covered by the Professional and Administrative Career Examination on August 30, 1982, and that were listed in the consent decree entered on November 19, 1981, by the U.S. District Court for the District of Columbia in the civil

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action known as *Luevano v. Devine* and numbered as No. 79–271. Those occupations are designated in these regulations as professional and administrative career (PAC) occupations or positions. OPM will publish a listing of PAC occupations.

(b) *Eligibility.* An agency may, but is not required to, convert appointments of employees occupying PAC positions under nontemporary appointments effected under §213.3202(1) of this chapter to career or career-conditional appointments at the GS–9 level in any position in a PAC occupation when such employees—

(1) Complete at least 1 year of Schedule B service at the GS–7 level that meets the quality of experience requirement for the GS–9 position in which converted (less than full-time service is credited according to the relation it bears to the full-time work-week);

(2) Demonstrate performance that warrants conversion at GS–9 (a current performance rating of fully successful or better for the year immediately preceding conversion is necessary for this purpose);

(3) Meet all requirements and conditions governing career and career-conditional appointment except those requirements concerning competitive selection from a register;

(4) Are converted without a break in service of one workday or more; and

(5) Are converted as a result of a deliberate decision by management.

(c) *Tenure on conversion.* An employee converted under paragraph (a) of this section becomes—

(1) A career-conditional employee, except as provided in paragraph (c)(2) of this section;

(2) A career employee if he or she has completed 3 years of substantially continuous service in nontemporary appointments under §213.3202(1) of this chapter, or has otherwise completed the service requirement for career tenure, or is excepted from it by §315.201(c).

(d) *Acquisition of competitive status.* A person whose employment is converted to career or career-conditional employment under this section acquires a

competitive status automatically on conversion.

[52 FR 25194, July 6, 1987, as amended at 52 FR 43722, Nov. 15, 1987; 66 FR 66710, Dec. 27, 2001]

§315.711 Readers, interpreters, and personal assistants serving under Schedule A appointments.

(a) *Agency authority.* An agency may convert noncompetitively to career or career-conditional employment, a reader, interpreter, or personal assistant:

(1) Who completed at least 1 year of satisfactory service in such a position under a non-temporary appointment under 5 CFR 213.3102(11); and

(2) Whose employment in such a position is no longer necessary for reasons beyond management control, e.g. resignation or reassignment of the employee being assisted.

(b) *Tenure on appointment.* (1) Except as provided in paragraph (b)(2) of this section, a person appointed under paragraph (a) of this section becomes a career-conditional employee.

(2) A person appointed under paragraph (a) of this section becomes a career employee when he or she has completed the service requirement for career tenure or is excepted from it by §315.201(c).

(c) *Acquisition of competitive status.* A person appointed under paragraph (a) of this section acquires a competitive status automatically on appointment.

[55 FR 12327, Apr. 3, 1990]

§315.712 Conversion based on service as a Federal Career Intern.

(a) *Agency authority.* An agency may convert noncompetitively to career or career-conditional employment, a career intern who:

(1) Has successfully completed a Federal Career Intern Program, under §213.3202(o) of this chapter, at the time of conversion; and

(2) Meets all citizenship, suitability, and qualification requirements.

(b) *Tenure on conversion.* An employee whose appointment is converted to career or career-conditional employment under paragraph (a) of this section becomes:

(1) A career-conditional employee except as provided in paragraph (b)(2) of this section;